

Michael Allen Roth
Mailing address: P.O. Box 422
Quartzsite, Arizona, 85346
Residence address: 55 E. Kuehn Rd.
Quartzsite, Arizona, 85346
(928) 927-8888
mroth1@aol.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Michael Allen Roth,)	CV-13-00908-PHX-SRB
)	
Plaintiff,)	
v.)	
)	COMPLAINT
Town of Quartzsite;)	§1983 ACTION
Jeff Gilbert and Sondra Gayle)	
Gilbert, Husband and Wife;)	JURY TRIAL DEMANDED
)	
Defendants)	

Plaintiff, Michael A. Roth, for his Complaint against all Defendants alleges as follows:

Jurisdiction

1. This action is brought pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1988. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1343(3) and (4). This Court also has jurisdiction pursuant to 28 U.S.C. §§ 2201 and 2002 to declare the rights of the parties and to grant all further relief found necessary and proper. Plaintiff further invokes the supplemental jurisdiction of this Court pursuant to 28 U.S.C. § 1367 (a).

1 2. This Court has personal jurisdiction over the defendants, who are located
2 in the District of Arizona.

3
4 3. Venue is proper in the District of Arizona pursuant to 28 U.S.C. §
5 1391(a) in that the defendants are subject to personal jurisdiction within the District of
6 Arizona and the events that give rise to this action occurred within the District of
7 Arizona.

8
9 4. Plaintiff, Michael A. Roth, is an adult residing within the Town of
10 Quartzsite, County of La Paz, State of Arizona.

11 5. Defendant Town of Quartzsite (referred to as “the Town”) is a municipality
12 organized under the laws of the state of Arizona and owns, operates, manages, directs and
13 controls the Quartzsite Police Department, which employed other defendants.

14
15 6. Defendant Jeff Gilbert (referred to as “Chief Gilbert”) was at all relevant
16 times the Chief of the Quartzsite Police Department, and employed by the Quartzsite
17 Police Department. Defendants Jeff Gilbert and Sondra Gayle Gilbert, were and are, at
18 all times relevant, husband and wife residing in La Paz County, Arizona. At all times
19 relevant, Defendant Jeff Gilbert held the position of Chief of Police in and for the Town
20 of Quartzsite. All actions taken by Defendant Jeff Gilbert were on behalf of the marital
21 community. On May 4, 2012, Chief Gilbert, acting under color of law and pursuant to
22 the policies of the Town of Quartzsite, committed the unlawful arrest and imprisonment,
23 without probable cause, of Plaintiff Roth, on account of his perceived political
24 expression, and because of his opposition to the policies of the Town and of Chief
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1 Gilbert. Within two weeks the arrest, the County Attorney moved for dismissal of all
2 charges stemming from the arrest. Defendant Gilbert is named herein in his individual
3 capacity.
4

5 **Complaint**

6 **I. Factual Allegations**

7 7. On May 4, 2012, Mr. Roth received a phone call from Quartzsite police
8 officer Xavier Frausto, who told Mr. Roth to come to the Quartzsite Police Department
9 headquarters to pick up the motorcycle of Mr. Roth's friend, Dana Stadler. Mr. Roth
10 asked Officer Frausto why, and Officer Frausto told Mr. Roth that Mr. Stadler had just
11 been arrested. Mr. Roth asked Officer Frausto why Mr. Stadler had been arrested, and
12 Officer Frausto hung up on him.
13
14

15 8. Mr. Roth knew Dana Stadler had been told by Quartzsite Municipal Court
16 Judge Lawrence King to go to the Quartzsite Police Department and talk to Chief of
17 Police Jeff Gilbert about getting the title to Mr. Stadler's truck returned to him.
18

19 9. The night before, on May 3, 2012, Mr. Stadler had told Mr. Roth he was
20 going to the police department to talk with Chief Gilbert about his title, with the intent of
21 leaving town once he got it, and asked Mr. Roth to go with him. Mr. Roth declined,
22 because the last time he had gone to the police department with Mr. Stadler, they were
23 both assaulted by Officer Rick Paterson, who lost his temper when they asked him
24 questions, jumping up from his seat and roughly pushing them both out of the lobby.
25
26

27 10. However, after Officer Frausto called Mr. Roth and told him to come down
28 to the police department and pick up Mr. Stadler's motorcycle, Mr. Roth did so.

1 11. A video of part of what transpired at the police station, including part of the
2 subsequent arrest, is available online at:

3 <http://www.youtube.com/watch?v=Qen8FZOqeCY&feature=youtu.be>
4

5 12. As can be seen on the video, when Mr. Roth arrived at the police station to
6 pick up the bike, he had his video camera in his hands, but was not recording. Chief
7 Gilbert told him “there’s no filming in here.” Mr. Roth told Chief Gilbert it was not
8 working, and Chief Gilbert’s assistant said “take it outside anyway” and Mr. Roth then
9 said “give me the keys, I’m going,” and the assistant can be heard saying “don’t give
10 them to him” despite Mr. Roth being called by Officer Frausto and told to come down to
11 the police station for the express purpose of getting Mr. Stadler’s keys and picking up the
12 motorcycle, which was the only reason Mr. Roth was there.
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14

15 13. This was reminiscent of an incident a couple of months prior, where Chief
16 Gilbert had told Mr. Roth and Mr. Stadler to come down to the police department at a
17 specific time, to talk to Officer Rick Paterson, only to be assaulted by Paterson because
18 they dared to ask him questions about the very topic that Chief Gilbert had told them to
19 go and talk to Officer Paterson about.
20
21

22 14. In this incident, Mr. Roth was already moving toward the door when Chief
23 Gilbert began to repeatedly tell him to “take it outside.” As Mr. Roth walked out the
24 door, Chief Gilbert gave Mr. Roth the keys to Mr. Stadler’s motorcycle.
25

26 15. Once Mr. Roth was outside, Chief Gilbert demanded that Mr. Roth move
27 his foot, even though his foot (in flip-flop sandals) was not blocking the door. Mr. Roth
28

1 later learned that Chief Gilbert had said the exact same thing (“move your foot”) to Dana
2 Stadler earlier that morning before arresting him.

3
4 16. Mr. Roth asked Chief Gilbert if he was going “to assault me like Paterson.”
5 Mr. Roth did move back, and was far enough away that his foot was nowhere near the
6 door. Mr. Roth asked “are you going to release Dana’s title.” Chief Gilbert replied, “are
7 you removing Dana Stadler’s bike?” Mr. Roth replied “none of your fucking business.”
8
9 And then Chief Gilbert said “then bring the keys back, we’ll have it towed.”

10 17. Strangely, when Mr. Roth then asked Chief Gilbert “are you going to
11 assault me, are you going to arrest me,” Chief Gilbert said “yes, if you take the bike”
12 even though, just seconds before, he had given Mr. Roth the keys, and when Mr. Roth
13 was asking him about the title, Chief Gilbert had asked if Mr. Roth was going to take the
14 bike, and when Mr. Roth said it was none of his business, he had said “then bring the
15 keys back, we’ll have it towed.”
16
17

18 18. Again, the only reason Mr. Roth was there in the first place was because
19 Chief Gilbert’s own officer, Xavier Frausto, had called Mr. Roth and told him to come
20 down and get the bike. But now, Chief Gilbert was threatening to arrest Mr. Roth if he
21 took the bike, after handing him the keys and threatening to tow it if he didn’t take it.
22

23 19. Clearly, Chief Gilbert was grasping at straws for a pretext to arrest Mr.
24 Roth, and using the threat of arrest as an intimidation tactic.
25

26 20. When Chief Gilbert told Mr. Roth he would arrest him if he took the bike,
27 Mr. Roth asked “why?” To which Chief Gilbert said “do you have permission?” to
28

1 which Mr. Roth replied "your own fucking cop called me . Xavier called me and told me
2 to come get it." Officer Xavier Frausto had asked Dana Stadler if he knew someone he
3 wanted to have come and get his bike, and Dana Stadler had told Officer Frausto he
4 wanted Mr. Roth to get it, which is why Frausto had called Mr. Roth.
5

6 21. After Mr. Roth told Gilbert his own officer had called him, Chief Gilbert
7 said "goodbye Mr. Roth" while Mr. Roth still had the keys.
8

9 22. Mr. Roth left, but then returned to the station to ask, on video, if Chief
10 Gilbert was going to release the title to Dana Stadler's truck. Mr. Roth had witnessed the
11 unlawful arrest of Dana Stadler a few months prior, over the truck, and when Mr. Roth
12 and Mr. Stadler had gone to ask Officer Paterson questions about the title, as Chief
13 Gilbert had told them to do, they were assaulted by Paterson and none of their questions
14 had ever been answered. So, Mr. Roth wanted to know what Chief Gibert's answer
15 would be to the same questions they had tried to ask Officer Paterson.
16
17

18 23. Chief Gilbert ordered Mr. Roth to leave, and he complied. As before, Mr.
19 Roth stepped outside and held the door open so he could speak to Chief Gilbert.
20

21 24. Chief Gilbert said, "if you come back in here, you will be arrested." Mr.
22 Roth asked "for what?" Mr. Roth asked Chief Gilbert repeatedly what he would be
23 arrested for, while Mr. Roth filmed and told Chief Gilbert what he thought of him, and
24 his heavy handed behavior.
25

26 25. Chief Gilbert grabbed the door and yanked it out of Mr. Roth's hand. Mr.
27 Roth said "are you assaulting me you fucker?" At that point, Mr. Roth no longer had hold
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1 of the door and Chief Gilbert could have simply closed the door, but even though Mr.
2 Roth was outside, in compliance with Chief Gilbert's order to leave, and though Mr. Roth
3 was not obstructing the door, and no longer even had hold of it, Chief Gilbert grabbed
4 Mr. Roth and cuffed him.
5

6 26. Mr. Roth spent approximately 24 hours in jail, after being wrongly arrested.
7

8 27. There was no valid basis for this arrest. And, in fact, within two weeks of
9 the arrest, the County Attorney moved for dismissal of all charges stemming from the
10 arrest.
11

12 28. This is a clear case of false arrest and false imprisonment, as well as
13 violation of Mr. Roth's free speech rights. There was no legitimate reason to place him
14 under arrest and deprive him of his liberty.
15

16 29. The May 4, 2012 arrest at issue in this case is part of a clearly established
17 pattern and practice of intentional false arrest, false charges, and harassment against Mr. Roth
18 and other political opponents of Chief Gilbert and his political allies. That arrest was one of
19 five false arrests of Mr. Roth (to date). One of the earliest arrests was April 13, 2010, with
20 two charges of disorderly conduct. Those charges and convictions were overturned by
21 the Arizona Court of Appeals on December 22, 2011 for insufficient evidence (that
22 decision is available online at <http://azcourts.gov/Portals/89/memod/CR/CR100994.pdf>).
23

24 30. This well documented pattern of false arrest, false charges, and intimidation
25 and harassment constitutes an ongoing conspiracy to violate the rights of Mr. Roth and others
26 in the community.
27
28

1 31. The Town of Quartzsite and its employees have named Mr. Roth (along
2 with Quartzsite residents Ed Foster, Jennifer Jones, Dana Stadler, and Doug Gilford) a
3 "self-styled activists" in an official Press Release. (See press release of Town Attorney
4 Martin Brannan, available online at
5 [http://www.parkerliveonline.com/2011/12/30/brannan-reassigns-cases-to-special-](http://www.parkerliveonline.com/2011/12/30/brannan-reassigns-cases-to-special-prosecutor/)
6 [prosecutor/](http://www.parkerliveonline.com/2011/12/30/brannan-reassigns-cases-to-special-prosecutor/)).
7
8

9 32. All of the above named activists have been subjected to repeated arrest
10 and other harassing persecuting, and intimidating actions by the Town of Quartzsite.
11

12 33. The La Paz County prosecutor, Sam Vederman, has publicly acknowledged
13 that Mr. Roth is a target of retribution by the Town of Quartzsite. So concerned is Mr.
14 Vederman that, On January 3, 2012, he sent a letter to F.B.I. agent Frank Farley of the
15 Public Corruption Unit, requesting that the F.B.I. conduct an investigation into criminal
16 wrongdoing by Chief Gilbert and the Quartzsite Police Department, stating:
17

18 **"I believe the circumstances warrant an investigation for the following**
19 **reasons Chief Jeff Gilbert has requested felony charges against certain**
20 **citizens for which I believe no criminal conduct occurred, or, at the very**
21 **least, did not rise to the level of felony conduct: Russell Sias (Aggravated**
22 **Assault on a Peace Office), Jennifer Jones (Influencing a Witness), Michael**
23 **Roth (Resisting Arrest) and Ed Foster (Obstructing a Criminal**
24 **Investigation) The Town, through Councilwoman Patricia Anderson,**
25 **publicly criticized this office for declining to prosecute Michael Roth for an**
incident that took place at a Town Council meeting in June 2011, It is the
same incident in Which Chief Gilbert requested this office charge Mr. Roth
with felony Resisting Arrest."

26 Mr. Vederman's letter is available online at: [http://aview.info/A-](http://aview.info/A-View/Library/PDF/La%20Paz/VEDERMAN/Vederman-12-01-03-FBI-letter.pdf)
27 [View/Library/PDF/La%20Paz/VEDERMAN/Vederman-12-01-03-FBI-letter.pdf](http://aview.info/A-View/Library/PDF/La%20Paz/VEDERMAN/Vederman-12-01-03-FBI-letter.pdf).
28

1 34. In addition, ten of the Quartzsite Police Department officers under Chief
2 Gilbert's command have stepped forward as whistle-blowers to make allegations of
3 criminal wrongdoing against Chief Gilbert in a May 10, 2011 letter, under the letterhead
4 of the Quartzsite Police Officers Association, addressed to the Quartzsite Town Council
5 and Town Manager. (available online at
6 [http://www.scribd.com/doc/59823583/Quarlzsite-Police-Officers-Association-Letter-](http://www.scribd.com/doc/59823583/Quarlzsite-Police-Officers-Association-Letter-regarding-Police-Chief)
7 [regarding-Police-Chief](http://www.scribd.com/doc/59823583/Quarlzsite-Police-Officers-Association-Letter-regarding-Police-Chief)).
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9

10 35. That letter from the ten officers was delivered to each member of the Town
11 Council and also to the Town Manager. The letter was also delivered to the Arizona
12 Peace Officer Standards and Training Board (AZPOST) on May 11, 2011, requesting an
13 investigation into wrongdoing by Chief Gilbert. Among the allegations brought by the
14 officers against Chief Gilbert in that May 10, 2011 letter were:
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16

17 **"He runs license plates just to find out names of people whose vehicles are**
18 **parked at businesses/residences of people he doesn't like. Not for an**
19 **investigation, but to gain personal Information about people for his political**
20 **benefit. He runs criminal history reports through NCIC to try to find "dirt"**
21 **on candidates or citizens supporting the candidates he does not like He**
22 **orders officers to pull over and arrest/cite violations of citizens he feels are**
23 **against him or he doesn't like. Not because they have committed a violation**
24 **that he wants enforced equally, but because it is someone he doesn't like.**
25 **Clearly this is a misuse of his power."**

26 36. John Stair, at the time Vice President of the Arizona Conference of Police
27 and Sheriffs (AZCOPS), spoke on behalf of the ten Quartzsite officers at a Quartzsite
28 Town Council meeting on June 14, 2011, testifying about the seriousness of the
allegations against Chief Gilbert while quoting from the May 10, 2011 letter by the

1 Quartzsite officers (his testimony can be seen beginning at the 36:40 mark of the video
2 available online at http://www.youtube.com/watch?v=R_pa3RPsX8&feature=youtu.be).

3
4 37. At the 42.38 minute mark of the above noted testimony before the Town
5 Council, Mr. Stair notes that the Town of Quartzsite, in the wake of the allegations
6 against Chief Gilbert, is not following its own policy of placing an officer on
7 administrative leave when serious allegations of criminal wrongdoing are brought
8 against the officer. Mr. Stair urged the Town to place Chief Gilbert on administrative
9 leave during the pending investigation into the alleged wrongdoing.
10

11 38. Despite the serious allegations brought by the ten Quartzsite officers
12 against their own Chief, and despite ongoing investigations into the alleged wrongdoing
13 by Chief Gilbert by the State of Arizona and by the F.B.I, the Town of Quartzsite,
14 despite having ample knowledge of the above violations of rights, has not placed Chief
15 Gilbert, or any of the other officers accused of violating the rights of citizens and
16 accused of criminal wrongdoing, on administrative leave, or taken any other steps to
17 discipline, supervise, or control Chief Gilbert to prevent the violations. To the contrary,
18 the Town is intimately involved in this pattern of using the powers of arrest to harass,
19 intimidate, and silence political opponents.
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23 II. Claims

24 FIRST CAUSE OF ACTION

25 FIRST AMENDMENT RIGHT TO FREE SPEECH, PRESS 26 AND ASSEMBLY (All Defendants) 27 28

1 39. Plaintiff Roth incorporates by reference the allegations of the preceding
2 paragraphs as though set forth at length herein.

3
4 40. Mr. Roth's actions and speech on May 4, 2012, while attempting to pick
5 up Mr. Stadler's motorcycle and while attempting to get answers to their questions
6 about whether Chief Gilbert was going to release the title to Mr. Stadler's truck are
7 speech, expression, and action that is protected by the First Amendment to the United
8 States Constitution.

9
10 41. Defendants violated the First Amendment free speech, expression, free
11 assembly, and free press rights of Mr. Roth when they arrested him with no probable
12 cause to do so.

13
14 42. As is well documented by the above noted letter of the ten Quartzsite
15 officers as well as the letter to the F.B.I. from the La Paz County Attorney, Mr. Roth
16 has been repeatedly targeted for arrest by the Defendants solely because of his speech –
17 because of his opposition to the Town and to the Policies of Chief Gilbert. These acts
18 were done with malicious intent, thus punitive damages are appropriate.

19
20 43. Defendants' actions and omissions, as more fully described in the factual
21 section of this Complaint, constitute violations of Plaintiff's rights, privileges and
22 immunities, as secured by the First, Fourth and Fourteenth Amendments to the United
23 States Constitution. Said rights, privileges and immunities include the right to free
24 speech and the right to peacefully assemble, the right to participate in the political
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1 process, and the right to criticize public officials and the conduct and procedures of law
2 enforcement officials.

3
4 SECOND CAUSE OF ACTION-FOURTH
5 AMENDMENT RIGHT TO BE FREE FROM
6 UNREASONABLE SEARCHES, SEIZURES, FALSE
7 ARREST, AND FALSE IMPRISONMENT (All
8 Defendants)

9 44. Plaintiff Roth incorporates by reference the allegations of the preceding
10 paragraphs as though set forth at length herein.

11 45. Defendants' actions and omissions, as more fully described in the factual
12 section of this Complaint, constitute violations of Plaintiff's rights, privileges and
13 immunities, as secured by the Fourth and Fourteenth Amendments to the United States
14 Constitution. Said rights, privileges and immunities include the right to bodily
15 integrity, the right to be free from unreasonable searches and seizures and the right to
16 be free from false arrest and imprisonment. Defendants' acts were done with malicious
17 intent, thus punitive damages are appropriate.
18

19
20 THIRD CAUSE OF ACTION
21 FIRST AMENDMENT RIGHT TO BE FREE FROM
22 RETALIATION (All Defendants)

23 46. Plaintiff incorporates by reference the allegations of the preceding
24 paragraphs as though set forth at length herein.

25 47. The participation in the political process, commentary and criticizing of
26 public officials and policy, is expression and action that is protected by the First
27 Amendment to the United States Constitution.
28

1 48. Defendants' detention, arrest, and imprisonment of Mr. Roth for engaging
2 in constitutionally protected speech and political activity constituted unlawful
3 retaliation in violation of his First Amendment rights. These acts were done with
4 malicious intent, thus punitive damages are appropriate.
5

6 FOURTH CAUSE OF ACTION
7 FOURTH AMENDMENT RIGHT TO BE FREE FROM MALICIOUS
8 PROSECUTION (All Defendants)

9 49. Plaintiff incorporates by reference the allegations of the preceding
10 paragraphs as though set forth at length herein.
11

12 50. Defendants' actions in authorizing and/or directing and requesting the
13 filing of criminal charges against the Plaintiff without probable cause violated
14 Plaintiff's Fourth Amendment right to be free from malicious prosecution. These acts
15 were done with malicious intent, thus punitive damages are appropriate.
16

17 FIFTH CAUSE OF ACTION
18 FAILURE TO TRAIN, ENACT AND IMPLEMENT POLICIES TO
19 PREVENT ABUSE, SUPERVISE AND DISCIPLINE (Town of Quartzsite)

20 51. Plaintiff incorporates by reference the allegations of the preceding
21 paragraphs as though set forth at length herein.
22

23 52. The failure of Defendant Town of Quartzsite to properly train, enact
24 policies to prevent abuse of civil rights, and failure to supervise and discipline police
25 officers to prevent that abuse, even in the face of overwhelming evidence
26 of abuse and violation of rights, to the level of criminal activity,
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1 constitutes deliberate and willful indifference to the rights of those who come into
2 contact with the Quartzsite Police Department.
3

4 53. Plaintiff's injuries were the direct and proximate result of Defendant
5 Town of Quartzsite's failure to provide training and supervision to the police officers
6 serving in its police department, with that failure continuing even after requests to place
7 Chief Gilbert on administrative leave by ten of the Quartzsite Police Department officers
8 and by AZCOPS, with the Town violating its own policies by refusing to do so, and then
9 failing to provide supervision and discipline even after the initiation of formal state
10 investigations and even after being given a copy of the letter to the F.B.I. from La Paz
11 County Attorney Samuel Vederman, requesting a federal criminal investigation..
12
13

14 54. The need for training and supervision of the individual Defendants, as
15 well as the need to place Chief Gilbert on administrative leave pending investigation,
16 was and should have been plainly obvious to the Town of Quartzsite policymakers.
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18

19 55. The Town Council knowingly failed to exercise proper oversight and
20 discipline of the Police Department, and is in fact directly and intentionally complicit in
21 the violations of Mr. Roth's rights, in a long pattern of false arrest and false charges.
22

23 56. Defendants' actions and omissions, as more fully described in the factual
24 section of this Complaint, constitute violations of the rights, privileges and immunities
25 guaranteed by the First, Fourth and Fourteenth Amendments to the United States
26 Constitution. Said rights privileges and/or immunities include right of free speech and
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1 engaging in the political process, the right to be free from unreasonable searches and
2 seizures and the right to bodily integrity.

3
4 SIXTH CAUSE OF ACTION
5 INTENTIONAL INFLICITON OF EMOTIONAL DISTRESS (All
6 Defendants)

7 57. Plaintiff incorporates by reference the allegations of the preceding
8 paragraphs as though set forth at length herein.

9 58. As set forth in the facts section of this complaint, the above well
10 documented and systemic abuse of power, intimidation, and wrongful arrest, false
11 arrest, and false charges as a tool of oppression and intimidation were done with overt,
12 malicious intent to stifle, chill, and violate Mr. Roth's rights, privileges and immunities
13 guaranteed by the First, Fourth and Fourteenth Amendments to the United States
14 Constitution by causing him emotional distress. Said rights privileges and/or
15 immunities include right of free speech and engaging in the political process, the right
16 to a free press, the right to be free from unreasonable searches and seizures and the right
17 to bodily integrity. There is a very well documented, overwhelmingly supported, clear
18 pattern of intentional targeting of Mr. Roth for harassment, intimidation, and intentional
19 infliction of emotional distress in an attempt to chill his speech, silence him, ruin his
20 political campaigns and his business in an attempt to induce him to leave town, all of
21 which were done with malicious intent. Thus, punitive damages are appropriate.

22 SEVENTH CAUSE OF ACTION
23 CONSPIRACY TO VIOLATE THE CONSTITUTIONALLY
24 PROTECTED RIGHTS OF PLAINTIFF (All Defendants)
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1 59. Plaintiff incorporates by reference the allegations of the preceding
2 paragraphs as though set forth at length herein.

3
4 60. As set forth in the facts section of this complaint, the above well
5 documented and systemic abuse of power, intimidation, retaliation, malicious
6 prosecution, false arrest and imprisonment, false charges, and systematic use of the
7 administrative process as a tool of oppression and intimidation were done with overt,
8 malicious intent as part of a conscious conspiracy among the Defendants to stifle, chill,
9 and violate Mr. Roth's rights, privileges and immunities guaranteed by the First, Fourth
10 and Fourteenth Amendments to the United States Constitution. Said rights privileges
11 and/or immunities include right of free speech and engaging in the political process, the
12 right to peaceably assemble, the right to be free from unreasonable searches and seizures
13 and the right to bodily integrity. There is a very well documented, overwhelmingly
14 supported, clear pattern of intentional, ongoing, coordinated conspiracy, and actions to
15 further that conspiracy, by all Defendants to target Mr. Roth for harassment,
16 intimidation, retaliation, and intentional infliction of emotional distress in an attempt to
17 chill his speech, silence him, ruin his political campaigns and ruin his business in an
18 attempt to induce him to leave town, all of which were done with malicious intent.
19 Thus, punitive damages are appropriate.

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25 **Demand and Prayer for Relief**

26 Wherefore, Plaintiff respectfully requests that the Court:

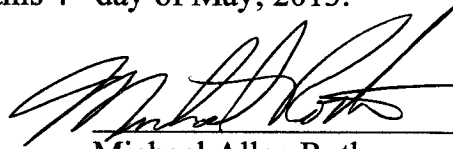
- 27 1. Exercise jurisdiction over this action;

2. Award appropriate compensatory damages against all Defendants;
3. Award appropriate punitive damages against each of the Defendants since these acts were done with malicious intent, thus punitive damages are appropriate; and
4. Grant such other relief as may be appropriate, including the award of reasonable attorneys' fees, litigation expenses, and costs.

JURY DEMAND

Plaintiff demands a trial by jury for all issues so triable.

RESPECTFULLY SUBMITTED this 4th day of May, 2013.



Michael Allen Roth
Mailing address: P.O. Box 422
Quartzsite, Arizona, 85346
Residence address: 55 E. Kuehn Rd.
Quartzsite, Arizona, 85346
(928) 927-8888
mrotha1@aol.com